

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CR No. 05-1849 JH

MIKE HANNAH,

Defendant.

NOTICE OF DEFENDANT'S UNAVAILABILITY

COMES NOW Brian Pori, counsel of record for the Defendant Mike Hannah, and hereby respectfully informs the Court, counsel for the United States, and officials of the United States Probation and Pre-Trial Services Offices of the United States District Court for the District of New Mexico of Mr. Hannah's unavailability for any proceedings in this case in the period from January 15, 2009 through February 28, 2009. Mr. Hannah is unavailable because he is recovering from surgery to address his serious medical needs. Wherefore, due to Mr. Hannah's unavailability, counsel respectfully requests that this Honorable Court abate any proceedings in this case involving Mr. Hannah during these time periods.

Dated: February 12, 2009

Respectfully Submitted:

By: /s/(electronically submitted 2/12/09)

Brian A. Pori
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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of February, 2009, I filed the foregoing Notice of Unavailability by CM/ECF electronic filing which caused a copy of the Notice to be delivered on Counsel for the Government, addressed as follows:

James R.W. Braun, Esq.
Assistant United States Attorney
United States Attorney's Office
PO Box 607
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Scott Burton
United States Probation
United States District Court
333 Lomas Blvd. NW
Albuquerque, NM 87102

/s/ (electronically submitted 2/12/09)
Brian A. Pori